IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	
Peter FLOHR *et al.*	Art Unit: 3749
Application No.: **10/623,812**	Examiner: Gravini, Stephen Michael
Filing Date: 22 July 2003	Attorney Ref. No.: 003-068
For: BURNER AND PILOT BURNER	**Via EFS-Web**

SECOND CORRECTED SUMMARY UNDER 37 C.F.R. § 41.37(c)(1)(v)

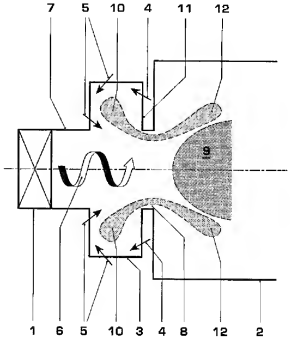
Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated 6 April 2009, Appellant submits this Corrected Summary in further compliance with 37 C.F.R. § 41.37(c)(1)(v). As confirmed to Appellant's undersigned representative during a telephone conference with Mr. Gravini, the Notification only requires correction of the Summary, and that none of the rules of Title 37, Code of Federal Regulations, uses the term "map" when describing the requirements for the Summary.

Favorable consideration is respectfully requested.

SUMMARY OF CLAIMED SUBJECT MATTER



The present application describes burners as generally illustrated in the single drawing figure, reproduced herein to better assist in an appreciation of the present invention.

Claim 1: A burner [page 2, lines 28-31 and as generally illustrated in the single drawing figure] includes a swirl generator [1] for a combustion air flow. Means for injecting fuel for producing a main flow [6] are provided generally in the area of the swirl generator 1 [page 5, lines 29-25: "Fuel may be injected, for example, via fuel nozzles arranged in the conical hollow space or via lines arranged along the tangentially running ducts."; page 5, lines 29-33: "In the region of the swirl generator, fuel, via means which are not shown, is admixed with the air fed via a compressor (not shown), and thus produces a main flow 6, which enters the combustion chamber 2 via the tube 7."]. A combustion chamber [2] is positioned downstream of the swirl generator 1 [page 5, lines 27-29]. A cavity [3] is arranged between the swirl generator [1] and the combustion chamber [2], which cavity [3] is arranged in such a way that a secondary flow [10] can be formed or produced therein, and this secondary flow [10] encloses the main flow [6] [page 6, lines 15-17; page 7, lines 4-15].

Claim 2: The cavity [3] advantageously can have an annular toroidal shape [page 6, lines 7-11].

Claim 3: The burner can include injection means for fuel and for combustion air arranged in the cavity, exemplary embodiments of which include pilot-gas nozzles [4] and secondary-air nozzles [5] arranged over the circumference of the cavity [3] [page 6, lines 13-15].

Claim 4: The burner can include a mixing section, including those portions of the tube

[7] arranged between the swirl generator [1] and the cavity [3] [page 5, lines 27-29, 33-35].

Claim 5: The burner can include a mixing section, including those portions of the tube [7] arranged between the cavity [3] and the combustion chamber [2] [page 5, lines 27-29, 33-35].

Claim 6: The burner can create a secondary flow [12] configured and arranged to be used as a pilot flame [page 6, line 28 to page 7, line 15].

Claim 7: A pilot burner [page 2, lines 28-31 and as generally illustrated in the single drawing figure] includes a swirl generator [1] for a combustion air flow. Means for injecting fuel for producing a main flow [6] are provided generally in the area of the swirl generator [1] [page 5, lines 29-25: "Fuel may be injected, for example, via fuel nozzles arranged in the conical hollow space or via lines arranged along the tangentially running ducts."; page 5, lines 29-33: "In the region of the swirl generator, fuel, via means which are not shown, is admixed with the air fed via a compressor (not shown), and thus produces a main flow 6, which enters the combustion chamber 2 via the tube 7."]. A combustion chamber [2] is positioned downstream of the burner [page 5, lines 27-29]. The burner includes a cavity [3] arranged between the swirl generator [1] and the combustion chamber [2] [page 6, lines 7-11], and is arranged in such a way that a secondary flow [10] can be formed or produced therein.

Claim 8: The cavity [3] of the pilot burner can have an annular toroidal shape [page 6, lines 7-11].

Claim 9: The burner can include injection means for fuel and for combustion air arranged in the cavity, exemplary embodiments of which include pilot-gas nozzles [4] and secondary-air nozzles [5] arranged over the circumference of the cavity [3] [page 6, lines 13-15].

Appellant has endeavored to fully respond to the Notification. In the event that Mr. Gravini, Ms. Lowe., Ms. Coates, and/or any other personnel of the U.S. Patent and Trademark Office finds fault with this Summary or any other part of the Brief, they are requested to indicate on the record the specific material that is defective. Appellant respectfully submits that this Summary fully complies with 37 C.F.R. § 41.37(c)(1)(v), and therefore respectfully requests docketing of this appeal.

Respectfully submitted,

By: /Adam J. Cermak/
Adam J. Cermak
Registration No. 40,391

U.S. P.T.O. Customer Number 36844
Cermak Kenealy Vaidya & Nakajima LLP
515 E. Braddock Rd.
Alexandria, Virginia 22314
703.778.6607 (v)
703.652.5101 (f)

Date: 6 May 2009